



General Assembly

January Session, 2009

Committee Bill No. 5795

LCO No. 4904

* HB05795ENV 031909 *

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING SHELLFISH WATER TESTING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-237d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Department of Agriculture [may] shall, upon written request
4 of a municipality, [enter into a memorandum of understanding with
5 such municipality to] authorize the health department or similar
6 agency of the municipality to collect sea water samples for the purpose
7 of shellfish harvest water classification. [The memorandum of
8 understanding] Said department shall not limit the geographic area
9 from which the municipality may collect such samples and shall not
10 [be construed to] prevent the municipality from collecting or
11 processing samples for the purpose of improving shellfish harvest
12 water classification. [The Department of Agriculture] Said department
13 shall, within available resources, provide the municipality with
14 support, documentation and training regarding record keeping and
15 sample collection and transport. The municipality shall, within
16 available resources, provide training to any employees or agents it
17 designates to take such samples.

18 (b) Samples collected by a municipality shall be collected and
 19 processed in accordance with the National Shellfish Sanitation
 20 Program Model Ordinance, as amended from time to time. Such
 21 samples shall be processed by a laboratory certified pursuant to said
 22 ordinance. The analysis of a sample processed in a laboratory other
 23 than a Department of Agriculture laboratory shall be transmitted
 24 directly to said department's Bureau of Aquaculture and to the
 25 municipality that submitted the sample.

26 (c) The municipality may, but shall not be required to, assist the
 27 Department of Agriculture in sample collection in post rainfall
 28 conditions, spill events or routine sampling requirements. The
 29 Department of Agriculture shall accept all sample data analysis from
 30 samples collected by municipalities pursuant to this section and said
 31 department shall include such data analysis in any data base, report,
 32 file, calculation or process used by said department to determine or
 33 report water quality classification or reclassification.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-237d

ENV *Joint Favorable*